

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

BREE BERRY,  
o/b/o L.P.W.,  
Plaintiff,

vs.

COMMISSIONER OF SOCIAL SECURITY,  
Defendant.

Case Number: 1:17-cv-53

Black, J.  
Litkovitz, M.J.

**REPORT AND  
RECOMMENDATION**

This matter is before the Court on the parties' joint motion to remand this case for further administrative proceedings pursuant to Sentence Four of 42 U.S.C. § 405(g) and to enter judgment pursuant to Fed. R. Civ. P. 58. (Doc. 24). Pursuant to the parties' agreement, the Commissioner's decision should be remanded for further proceedings, and upon remand, the ALJ will be directed to provide plaintiff with an opportunity for a hearing.

**IT IS THEREFORE RECOMMENDED THAT** the parties' joint motion to remand (Doc. 24) be **GRANTED**; this case be **REMANDED** to the Commissioner of Social Security for further administrative proceedings; and the Clerk of Court enter a separate judgment as required by Fed. R. Civ. P. 58.

  
Karen L. Litkovitz  
United States Magistrate Judge

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**NOTICE TO THE PARTIES REGARDING THE FILING OF OBJECTIONS TO R&R**

Pursuant to Fed. R. Civ. P. 72(b), **WITHIN 14 DAYS** after being served with a copy of the recommended disposition, a party may serve and file specific written objections to the proposed findings and recommendations. This period may be extended further by the Court on timely motion for an extension. Such objections shall specify the portions of the Report objected to and shall be accompanied by a memorandum of law in support of the objections. If the Report and Recommendation is based in whole or in part upon matters occurring on the record at an oral hearing, the objecting party shall promptly arrange for the transcription of the record, or such portions of it as all parties may agree upon, or the Magistrate Judge deems sufficient, unless the assigned District Judge otherwise directs. A party may respond to another party's objections **WITHIN 14 DAYS** after being served with a copy thereof. Failure to make objections in accordance with this procedure may forfeit rights on appeal. *See Thomas v. Arn*, 474 U.S. 140 (1985); *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).